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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,568	10/27/2003	Stephen Michael Hartley	858-011568-US(PAR)	3544

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EXAMINER	
SALOMON, PHENUEL S	
ART UNIT	PAPER NUMBER
2109	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/694,568	HARTLEY, STEPHEN MICHAEL	
	Examiner	Art Unit	
	Phenuel S. Salomon	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-62* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 October 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/5/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the original filing of October 27, 2003. Claims 1-62 are pending and have been considered below.

Claim Objections

2. Claim 1 is objected to because of the following informalities: for example,: "second application having.....one view associated with it,". Examiner considers the view is associated with the second application. Please use legal phraseology.
Appropriate correction is required.

3. Claim 59 objected to under 37 CFR 1.75 as being a substantial duplicate of claim 55. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Specification

4. The disclosure is objected to because of the following informalities: the examiner notes the use of acronyms: such as "UID" and others, in the specification without including a description in plain text, as required. Appropriate correction is required.

5. The disclosure is objected to because of the following informalities: for example, the examiner notes on page 3, para. [0004]: "...the "World Clock" application exists and returns...."

The word "exists' should be replaced with "exits". And on page 17, para. [00044] "The view route is object is constructed..."
Appropriate correction is required.

Drawings

6. The drawings are objected to because on Fig. 6, block 608 the word "lauch view" should be "launch view". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 11, 25, 39 and 60 contain the trademark/trade name Symbian ™. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claims do not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claims scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a family of products generated in the proprietary operating system/computer program called Symbian ™ and, accordingly, the identification/description is indefinite.

9. Examiner's Note. The Applicant appears to be attempting to invoke 35 U.S.C. 112 6th paragraph in Claims 15 and 29 by using "means-plus-function" language. However, the Examiner notes that the only "means" for performing these cited functions in the specification appears to be computer program modules. While the claims pass the first test of the three-prong test used to determine invocation of paragraph 6, since no other specific structural limitations are disclosed in the specification, the claims do not meet the other tests of the three-prong test. Therefore, 35 U.S.C. 112 6th paragraph has not been invoked when considering the claims below.

Claim Rejections - 35 USC § 101

10. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11. Claims 43, 47-62 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 43, 47-62 are drawn to a computer program per se. A computer program is not a series of steps or acts and this is not a process. A computer program is not a physical article or object and as such is not a machine or manufacture. A computer program is not a combination of substances and therefore not a compilation of matter. Thus, a computer program by itself does not fall within any of the four categories of invention. Therefore, Claims 43, 47-62 are not statutory.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 1, 3, 9, 11-12, 14-15, 17, 23, 25-26, 28-29, 31, 37, 39-40, 42-44, 46, 48, 54, 56, 58, 60-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,54,069) in view of Sullivan (5,737,557).

Claims 1, 15, 29 and 43: Meppelink discloses a method, system, an electronic device and a computer program for determining a view route comprising at least one view and passing said view route to a view router from said first application (col. 4, lines 39-50), but does not disclose launching at least one view based on said view route and continuing said first application when at least part of said view route has been processed. However, Sullivan discloses a plurality of buttons, which correspond to individual software suite when select one of the access buttons open or launch the corresponding software (col. 5, lines 25 -45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include view launcher in Meppelink. One would have been motivated to do so in order to define dynamically new view routes while application is being executed.

Claims 3, 17,31 and 48: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, and Sullivan further discloses a plurality of icons which consist of views and information about the second application (col. 5, lines 50-63). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to list the available resources in Meppelink. One would have been motivated to do so in order to conveniently make a user aware of the available resources.

Claims 9, 23, 37 and 54: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, and Sullivan further discloses a graphical display element with a plurality of displayed icons (fig 1a &b). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include graphical display elements in Meppelink. One would have been motivated to do so in order to facilitate access to resources regarding the various application programs.

Claims 11, 25, 39 and 60: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, but do not explicitly disclose "electronic device is a Symbian ™ operating system device". However, Meppelink does disclose an operating system (fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to run Symbian ™ operating system.

One would have been motivated to do so since it enables mobile phones from different manufacturers to exchange information.

Claims 12, 26, 40 and 56: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, but do not explicitly disclose "at least part of said view route is specified in the memory of said electronic device". However, Meppelink does disclose a memory (fig. 1). Official Notice is taken that it is old and well known within the computing arts in order to run a program/code a portion of the memory is allocated to that particular program. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify the memory area or location of the view route. One would have been motivated to do so in order to correctly determine the view route.

Claims 14, 28, 42 and 58: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, and Meppelink further discloses that the said view route is determined based on user actions (col. 3, lines 33-41).

Claim 44: Meppelink and Sullivan disclose a computer program as in claim 43 above, Meppelink further discloses that the computer program is stored on a computer readable medium (fig. 1, item 18).

Claim 46: Meppelink and Sullivan disclose a computer program as in claim 43 above, Meppelink further discloses that the computer readable medium is a magnetic or optical disk (fig. 1, item 18).

Claim 61: Meppelink and Sullivan disclose a computer program as in claim 43 above, Meppelink further discloses that the view router is implemented as a library (fig. 1, item 18).

Claim 62: Meppelink and Sullivan disclose a computer program as in claim 43 above, Meppelink further discloses that the view router is implemented as an own application (col. 2, lines 24-40).

14. Claims 2, 4-8, 10,13, 16, 18-22, 24, 27, 30, 32-36, 38, 41, 45, 47, 49-50, 51-53, 55, 57, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meppelink et al. (US 5,54,069) in view of Sullivan (5,737,557) and in further view of Bahrs (7,181,686 B1).

Claims 2, 16, 30 and 47: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, but do not explicitly disclose "gathering data from said at least one view; and passing said data from said view router to said first application or to a subsequent application in said view route". However, Bahrs discloses a data collection method from user and processing such data (col 4, lines 20 -30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include data collection in Meppelink. One would have been motivated to do so in order to simulate user actions in a reliable manner.

Claim 4, 18, 32 and 49: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, but do not explicitly disclose "data is organized into a journal list comprising an entry for each view in said view route". Bahrs discloses diagrams that illustrate variables and method in view controller (col. 19, lines 1-8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to organize data into a journal list in Meppelink. One would have been motivated to do so in order to facilitate the user interaction with different views.

Claims 5, 19, 33 and 50: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, but do not explicitly disclose "data is organized into a list of type and value pairs". However, Bahrs discloses how view controller handles data that uses key-value pair data model (col. 48, lines 37-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to organize data in value pairs in Meppelink. One would have been motivated to do so in order to dynamically refresh or change the view display.

Claims 6, 20, 34 and 51: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 5, 19, 33 and 50 above, but do not explicitly disclose "data type and value pair are in a markup language format." However, Bahrs discloses how the value pair could be XML type data (col.48, lines 37-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to present data as markup language in Meppelink. One would have been motivated to do so in order to dynamically refresh or change the view display.

Claims 7, 21, 35 and 52: Meppelink, Sullivan and Bahrs disclose a method, system, an electronic device and a computer program as in claims 2, 16, 30 and 47 above, and Sullivan further discloses that the said view router provides a generic interface with generic methods and acts as an adapter for returning data from said at least one view launched to said first application or a subsequent application in said view chain (col. 5, lines 25-49) (Examiner note: It's inherent that closing the view of an application will automatically return all the data from the view to the said application). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include this feature in Meppelink. One would have been motivated to do so in order to have a faster data processing system.

Claims 8, 22, 36 and 53: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 1, 15, 29 and 43 above, but do not explicitly disclose 'said electronic device has a graphical user interface". However, Bahrs discloses an electronic device with user-generated data (col. 14, lines 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include graphical user interface in Meppelink. One would have been motivated to do so in order to maintain and facilitate access to contextual information regarding the various application programs or files stored on the device.

Claim 10, 24, 38, 55 and 59: Meppelink, Sullivan and Bahrs disclose a method, system, an electronic device and a computer program as in claims 8, 22, 29 and 53 above, and Sullivan

further discloses software suite window while execution begins (col. 8, lines 66-67 and col. 9, lines 1-5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include window display in Meppelink. One would have been motivated to do so in order to facilitate the normal operation of the device by the user.

Claims 13, 27, 41 and 57: Meppelink and Sullivan disclose a method, system, an electronic device and a computer program as in claims 12, 26, 29 and 56 above, but do not explicitly disclose 'said view route is updated based on user actions'. However, Bahrs discloses a user input is received at a container handled by a view controller, wherein the user input requests a change in permissions..." (col. 3, lines 61-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to dynamically update view route based on user action. One would have been motivated to do so in order to have a user-friendly device.

Claim 45: Meppelink and Sullivan disclose a computer program as in claims 43 above according to claim 43, but do not explicitly disclose said computer readable medium is a removable memory card. However, Bahrs discloses a floppy disc as a type of removable readable medium (col.66, lines 30-33). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a removable medium in Meppelink. One would have been motivated to do so in order to be more flexible in term of usage.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Brendle (US 2003/0222919 A1) discloses displaying views on computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
3/13/2007

James W. Myhre
Supervisory Primary Examiner